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OFFICE OF PETITIONS

In re Application of Moskowitz et al.	:	
Application No. 09/542,367	:	Decision on Petition
Filing Date: April 20, 2000	:	
Attorney Docket No. 101.078	:	

This is a decision on the petition under 37 CFR 1.181, filed November 22, 2004, to withdraw the holding of abandonment.

The petition is **granted**.

Facts:

A final Office action was mailed March 12, 2004.

A Notice of Appeal was filed May 6, 2004.

An Appeal Brief and a request for a two-month extension of time were filed August 18, 2004.

A Notice of Abandonment was mailed November 5, 2004. The Notice states a reply was never filed in response to the final Office action.

The instant petition requests the holding of abandonment be withdrawn.

Discussion:

The Notice of Appeal and Appeal Brief were both timely filed. Therefore, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

The matter will be forwarded to Technology Center Art Unit 3621 for entry and consideration of the Notice of Appeal and Appeal Brief.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions